

DOCKET NO.: 217208US- 8

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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OCT 5 2002

IN RE APPLICATION OF

OFFICE OF PETITIONS

HARUO FURUTA ET AL

: EXAMINER: OWENS, D.

SERIAL NO: 10/014,345

FILED: DECEMBER 14, 2001

: GROUP ART UNIT: 2811

FOR: SEMICONDUCTOR DEVICE AND  
MANUFACTURING METHOD  
THEREFOR

PROVISIONAL ELECTION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action of September 9, 2002, Applicants in the above-identified application provisionally elect Claims 1-4, but traverse the Restriction Requirement

for the reasons set forth herein.

Adjustment Date: 10/10/2002  
01 FC:1460  
Repln. Ref: 12/31/2002 AKELLEY 0013365100  
204:150030 Name/Number:10014345  
FC: 9204 \$130.00 CR

REMARKS

Applicants provisionally elect the claims of Group I, Claims 1-4, but traverse the

Restriction Requirement for the following reasons. After review of the Office Action mailed

10/10/2002 SSURLES 00000009 10014345

01 FC:122 September 9, 2002, Applicants believe that the rejection is based on an examination of a

patent application different from the application that Applicants actually filed in the present case.

Applicants have also filed a Petition Under 37 C.F.R. §1.182, a courtesy copy of which is attached hereto, requesting a filing date for the application that Applicants actually filed. The basis of the Petition is that the Office incorrectly entered a related patent

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